



SCHOOL BUS, INC.

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DEPARTMENT OF EDUCATION "POINT OF CONTACT" **DECEMBER 2007 NEWSLETTER**

SDSTA Winter Meeting

The Winter meeting of the South Dakota School Transportation Association will meet in Chamberlain, SD on December 28th at the Cedar Shore Resort Conference Center. The meeting will be held in the River Room and will start at 10:30 AM. Please make plans to attend. If you would like to spend a night or two the phone number to the resort is 605-734-6376. A presentation will be given on O2 Diesel, which is an ethanol type of additive for diesel fuel.

Smaller School Buses to Get Belts

WASHINGTON -- The National Highway Traffic Safety Administration is expected to propose requiring three-point safety belts on small school buses and taller seats on all school buses but will not require belts in larger buses. The new requirement for lap and shoulder safety belts applies only to buses under 10,000 pounds. This more than five years after the agency first said it was considering such regulations. The proposed rule has been announced by Transportation Secretary Mary Peters at an event in Raleigh, N.C., and comes as Congress is considering tougher safety requirements for commercial buses. While school buses still remain the safest way to get to and from school, high-profile crashes have raised the issue of whether school buses should have safety belts. Five states, Australia and the European Union now require safety belts on buses, while many states have already required the taller seats. Peters and NHTSA Administrator Nicole Nason declined to comment on the announcement. NHTSA did not quickly come to its decision to upgrade bus safety. In 1998, Congress ordered NHTSA to again research the issue of school bus safety and reconsider its 1977 decision not to require safety belts in buses. In May 2002, NHTSA sent a report to Congress that said the agency was considering increasing seat back height from 20 inches to 24 inches and requiring buses under 10,000 pounds to have lap/shoulder belts -- essentially the same recommendations being proposed. Currently, only lap belts are required on smaller buses. NHTSA came under criticism for failing to act on its 2002 recommendations after a November 2006 bus accident in Huntsville, Ala., killed four high school students when the bus tumbled off an interstate overpass. At a forum in July, Nason said the NHTSA would propose requiring new school bus seats be at least 24 inches tall. Since most school buses have no safety belts, the main safety feature is taller seats designed to "contain" students during a crash.

Status quo for large buses

In the past six months, NHTSA revisited -- but declined to reverse -- an earlier decision to not require school bus seat belts. In July, Peters said, "We owe it to our children to look at this issue with fresh eyes. With that in mind, it's time to look at seat belts on buses." Some individual districts require safety belts, while some require safety belts in only a couple of rows, in case an infant is traveling in a child safety seat. Safety advocates want seat belts on buses to better protect riders but also because it reinforces for students the need to use restraints in any motor vehicle. "All 50 states protect our young motor vehicle passengers by mandating the use of safety seats or belts in passenger cars," said Alan Ross, head of the National Coalition for School Bus Safety. "Thus, the children today are already trained to 'buckle up' and are in the habit of riding safely secured. This habit persists enforced by law, until the first day of school where a portion of the transport industry says it's proper to ride unsecured. This negative training carries over to our teenage drivers who are killed in drastic numbers from automobile crashes because they haven't learned the importance of wearing a seat belt." For those school buses already equipped with lap and/or shoulder belts, NHTSA will propose voluntary performance standards for those belts and will offer technical assistance to states or districts that want to require them, including setting standards for seat belt anchorage strength. Those regulations won't become final until sometime in 2008.

Recent crashes raise issue

On average, about 7,200 students are injured annually in crashes, according to a November 2006 study by the Journal of Pediatrics. A March 2006 rollover accident involving the West Brook High School girl's soccer team from Texas killed two teenage girls. In June, Texas Gov. Rick Perry signed into law "Ashley and Alicia's Bill," which requires lap and shoulder belts on public school buses purchased after 2010. It applies to charter school buses purchased after 2011. A few weeks ago, 20 students were injured near Maxie, La., when a bus rolled over in a ditch on Highway 98. On Nov. 7, 28 students were taken to the hospital with minor injuries after three school buses collided in Selma, N.C. Other school-age children have been injured or killed in commercial accidents. A March 2 crash in Atlanta of a bus exiting Interstate 75 killed five

Ohio College baseball players, the driver and his wife. Two Michigan men were among those injured. On Nov. 8, Sens. Sherrod Brown, D-Ohio, and Kay Bailey Hutchison, R-Texas, introduced a bill to require safety belts and strong roofs in interstate commercial buses. "With an eye toward prevention, we can help avert future motor coach accidents and make the roads safer for everyone," Hutchison said.

Seat belts increase bus costs

NHTSA said in July that lap and shoulder belts "could provide some benefit" but warned that adding the belts could be expensive, reduce seating capacity and reduce ridership. In 2002, NHTSA sent a report to Congress that said adding lap/shoulder belts to all buses could reduce seating by 17 percent because of seat redesign and add \$40 to \$50 per seating position to the cost of a new vehicle. It would cost the industry more than \$100 million annually and save only 1 life a year on average, NHTSA said. About 25 million U.S. children travel to school on 500,000 buses. School bus travel accounts for just 2 percent of student fatalities in getting to and from school. Between 1995 and 2005, about 5 school children died annually in bus accidents, for a fatality rate of 0.1 per 100 million miles traveled. By comparison, the fatality rate for school kids killed on bicycles is 12.2 per 100 million miles and for children who walk to school, 8.7 per 100 million miles.

Subject: NHTSA Announcement

I am writing from Morrisville Elementary School in Wake County, North Carolina.

This morning, DOT Secretary Mary Peters rode here on a school bus and addressed the media.

The following is taken from my scribbled notes based on how I understood the remarks.

She announced the "1st ever federal rules for 3 point belts" on school buses.

Some key points of the Secretary's remarks:

The rules will make children safest

The statistics show that the yellow bus is safest than any other way to get to school.

The best answers come from locals rather than Washington, DC

This is the first set of safety rules in 15 years.

Taller seats - increasing from 20 to 24 inches - will be required 1 year from the date of effect of the rulemaking.

The rule addresses seat belts on small and large buses.

Within 3 years of the effective date of the rulemaking, small school buses will be required to have 3 point belts.

They don't want fewer children riding the bus, putting them in a less safe form of transportation.

States can use federal 402 funds to pay for the difference in buses with lap/shoulder belts.

More information should be posted on NHTSA's web site.

Derek Graham, President, NASDPTS

Texas Students Awarded \$5 million for TB Exposure on Charter Bus

Last month a jury awarded \$5.25 million to six high school students and a chaperone who were exposed to tuberculosis by the driver of a motor coach transporting the school band to San Antonio in 2004. More than 200 students were exposed to the driver, who exhibited signs of illness during the trip, but only six tested positive for latent tuberculosis. The verdict held the Charter Company, Garcia Holiday Tours, responsible for allowing the driver to work without a valid medical certificate, saying that the company's action jeopardized the students' future health. His last physical was in 1999, and the certificate had not been renewed in five years. The driver had a family history of the disease and was suffering from four of the six major symptoms at the time of the charter. He was officially diagnosed with active tuberculosis nine days after the trip.

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